

## Chapter NR 207 Water Quality Antidegradation Information Request

If you request an increase in any of your permit effluent limitations, you must provide all or part of the following information as required by Wisconsin Administrative Code, Chapter NR 207, Water Quality Antidegradation. You are advised to contact the permit drafter who is identified in the cover letter that accompanies this permit reissuance package before you begin work on this information request. The permit drafter will verify what information you must provide, identify the classification of your receiving water, provide you with a list of water quality indicator parameters if necessary and verify that significant lowering of water quality will or will not occur. All requirements of ch. NR 207 must be satisfied before the Department can issue a permit containing an increased effluent limitation.

If your facility discharges to a receiving water that is classified as Exceptional Resource Waters, Great Lakes Waters or Fish and Aquatic Life Waters and you are proposing an increased discharge, you must document the following:

- I. An assessment of existing treatment capability which demonstrates:
  - A. Any of the following:
    1. Your monthly average discharge equals or exceeds 85% of your monthly average permit limitation for 3 consecutive months;
    2. Your daily discharge equals or exceeds 85% of your daily maximum permit limitation 5 or more times during a calendar year; or
    3. There are exceedances of any daily maximum, weekly average or monthly average permit limitation;
  - B. The treatment facilities were maintained in good working order;
  - C. The treatment facilities were operated and maintained as efficiently as possible; and
  - D. The conditions documented in A. above were not due to temporary upsets.
- II. A demonstration that the proposed increased discharge will accommodate important economic or social development in any of the following ways:
  - A. You will be increasing your employment.
  - B. You will be increasing your production level.
  - C. You will be avoiding a reduction in your employment level.
  - D. You will be increasing your efficiency.
  - E. There will be industrial, commercial or residential growth in the community.
  - F. You will be providing economic or social benefit to the community.
  - G. You will be correcting an environmental public health problem.

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- III. The following demonstration is optional. If you do not provide the information requested below, however, the Department will assume that your proposed increased discharge will significantly lower water quality and must comply with IV, below.
- A. The expected levels of the indicator parameters in the discharge.
  - B. The existing levels of the indicator parameters upstream of, or adjacent to, the discharge site using applicable procedures in chs. NR 102 and NR 106 or specified by the Department if none of those procedures apply. Existing levels shall be based on the earliest source of data after March 1, 1989 unless a demonstration is made that there has been a change in existing levels resulting in a change in the assimilative capacity of the receiving water, in which case the existing levels shall be based on the data used in the demonstration.
  - C. A calculation of expected levels in the receiving water of the indicator parameters as a result of the proposed increased discharge. In calculating expected levels in the receiving water, the following shall be used:
    - 1. Applicable design low flow rates or dilution ratios for the receiving water in ch. NR 102 or NR 106 or specified by the Department if none of those rates or ratios apply.
    - 2. The yearly average discharge loading rates for the increased portion of the discharge.
  - D. A comparison of the expected levels in the receiving water of each indicator parameter as calculated in C, above to:
    - 1. The assimilative capacity multiplied by one-third for all indicator parameters except dissolved oxygen; or
    - 2. The sum of the existing level multiplied by two-thirds and the water quality criterion multiplied by one-third for dissolved oxygen.
  - E. For discharges to Great Lakes Waters, an indication of whether the discharge of any substance that has a bioaccumulation factor greater than 250 will be initiated or increased.
- IV. If your increased discharge is found to result in a significant lowering of water quality or if you have waived the demonstration for the lowering of water quality as outlined in III, above, then you must demonstrate the following:
- A. The proposed significant lowering of water quality cannot be prevented in a cost effective manner by the following types of pollution control alternatives:
    - 1. Use of conservation measures.
    - 2. Use of recycling measures.
    - 3. Use of other applicable wastewater treatment process or operational changes.
    - 4. Use of source reduction measures.

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- B. If your proposal includes an expansion of your wastewater treatment plant, are there are alternative wastewater treatment technologies that:
1. Have documented performance levels for similar wastewater composition;
  2. Have capital costs less than 110% of the capital costs (or present worth less than 115% of the related total present worth value) for alternatives achieving the water quality based effluent limitations of treatment technology (categorical) effluent limitations, as appropriate; and
  3. Would prevent a significant lowering of water quality.
- C. Whether there are other discharge locations or alternatives which would meet the conditions of B2 and 3, above.
- D. Any other information required by the department or that you deem to be necessary to complete a review of the application.

If you have any questions on completing the ch NR 207 Antidegradation Information Request, contact the permit drafter who is identified in the cover letter that accompanies this permit reissuance package.